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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

Date: December 16, 2004

Gfeller et al.

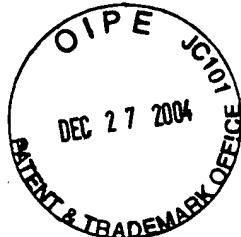
Group Art Unit: 2133

Serial No.: 09/614,231

Examiner: C.T.L. Tu

Filed: July 12, 2000

Docket No.: CH9119980038US1



For: APPARATUS AND METHOD FOR SETTING A DATA RATE IN A WIRELESS COMMUNICATION SYSTEM

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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DEC 29 2004

Amendment

OFFICE OF PETITIONS

Dear Sir:

This amendment is being filed as part of a Request for Continued Examination and along with a Petition to Revive the application under 37 C.F.R. 1.1137. The Petition for Revival is being filed in Response to a Notice of Abandonment, mailed on November 21, 2003.

**Amendments to the claims** are reflected in the listing of the claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 3 of this paper.

**Amendments to the claims:**

This listing of claims will replace all prior versions, and listings of claims in the application: